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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,940	12/29/2000	Hong Cai	JP-1999-0279US (8728-464)	9013

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,940

Applicant(s)

CAI ET AL.

Examiner

Douglas B Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.
2. The abstract of the disclosure is objected to because the term “many services e-business application” makes no sense on lines 4 and 5 of page 23. Correction is required. See MPEP § 608.01(b).
3. The abstract of the disclosure is objected to because the terms “device-platform interface”, “service-platform interface”, “platform kernel section”, “flexible”, and “scalable” all must be preceded by articles on lines 5, 6, and 7 of page 23. Correction is required. See MPEP § 608.01(b).
4. The abstract of the disclosure is objected to because the term “3rd party” should be preceded by the article “a” and not “the”. Correction is required. See MPEP § 608.01(b).

Request for Information

5. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

All information that the applicant possesses pertaining to LISP/6A mentioned on line 15 of page 4 of this application is requested.

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6. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

7. This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.

Drawings

8. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the process of transforming a device request into XML must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

9. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

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10. Claim 1 is objected to because of the following informalities: there should be an “and” before “(2) special sections...” in line 13, page 19. Appropriate correction is required.

11. Claim 2 objected to because of the following informalities: there should be an article before “platform API” at line 7 of page 20. Appropriate correction is required.

12. Claim 2 objected to because of the following informalities: “provide” should be “provides” at line 8 of page 20. Appropriate correction is required.

Claim Rejections - 35 USC § 112

13. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

14. Claims 1 and 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no description in the applicant’s specification providing any hint as to how “user/device/service” is defined. The term “user/device/service” is mentioned on page 3, lines 16-17 and page 12, lines 16-17 and 25-26, however, no additional information is used to convey the meaning of this term to one of skill in the art. Such an omission causes the applicant’s specification to fail to put the public in possession of the claimed invention.

15. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described

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in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 states that the device-platform interface is capable of accepting requests issued by devices and transforming these requests into XML. The applicant's specification, however, provides no guidance as what format a device request is in or how a request is transformed. Page 17, lines 8-13 of the applicant's specification merely state that a request is transformed to XML. Such an omission causes the applicant's specification to fail to put the public in possession of the claimed invention.

16. Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification provides no guidance as to how one of skill in the art would transform between HTTP and XML. HTTP is a protocol for transmitting hypertext such as XML and therefore it would be impossible to transform one into the other.

17. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

18. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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19. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

20. It is unclear in claim 1, page 19, lines 7-10 whether “the XML representation of information” or the “various devices” are “for displaying”. For examination purposes it will be assumed that “the XML representation of information” are “for displaying”. Appropriate clarification is required.

21. The term “characterized by comprising” in claim 1 makes the claim 1 indefinite. The invention either comprises the following elements or it does not.

22. Claim 1 recites the limitation “transforming various information representation mode” in line 12 of page 19. There is insufficient antecedent basis for this limitation in the claim.

23. Claim 1 recites the limitation “the information” in line 13 of page 19. There is insufficient antecedent basis for this limitation in the claim.

24. Claim 1 recites the limitation “said special sections” in line 14 of page 19. There is insufficient antecedent basis for this limitation in the claim.

25. In claim 1, it is unclear how the special sections can direct XML files to the platform when the special sections are part of the device platform interface that is part of the pluggable service device platform.

26. Claim 1 recites the limitation “the platform” in line 15 of page 19. There is insufficient antecedent basis for this limitation in the claim.

27. Claim 1 recites the limitation “the common base” in lines 18-19 of page 19. There is insufficient antecedent basis for this limitation in the claim.

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28. Claim 1 recites the limitation "the information" in lines 19-20 of page 19. There is insufficient antecedent basis for this limitation in the claim.

29. In claim 1, it is unclear how a service-platform interface can direct XML files to the platform when the service-platform interface is part of the pluggable service device platform.

30. Claim 1 recites the limitation "the platform" in line 21 of page 19. There is insufficient antecedent basis for this limitation in the claim.

31. Claim 1 recites the limitation "/user/device/service information" in line 24 of page 19. There is insufficient antecedent basis for this limitation in the claim.

32. Claim 1 recites the limitation "providing synchronized/asynchronous service engine" in lines 24-25 of page 19. There is insufficient antecedent basis for this limitation in the claim.

33. Claim 1 recites the limitation "the information" in line 26 of page 19 and line 1 of page 20. There is insufficient antecedent basis for this limitation in the claim.

34. Claim 1 recites the limitation "the modules" in line 1 of page 20. There is insufficient antecedent basis for this limitation in the claim.

35. In claims 2-9, the term "characterized in that" used to limit the claims, renders the claims indefinite.

36. Claim 2 recites the limitation "adding/deleting users/devices/services" in lines 9-10 of page 20. There is insufficient antecedent basis for this limitation in the claim.

37. Regarding claim 4, the word "may" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

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38. Claim 4 recites the limitation "based on session" in line 19 of page 20. There is insufficient antecedent basis for this limitation in the claim.

39. Claim 4 recites the limitation "based on queue" in line 20 of page 20. There is insufficient antecedent basis for this limitation in the claim.

40. Claim 5 recites the limitation "said profile manager" in line 23 of page 20. There is insufficient antecedent basis for this limitation in the claim.

41. Claim 6 recites the limitation "said device profile" in line 10 of page 21. There is insufficient antecedent basis for this limitation in the claim.

42. Claim 6 recites the limitation "the information representation XML" in lines 6-7 of page 21. There is insufficient antecedent basis for this limitation in the claim.

43. Claim 6 recites the limitation "the script language" in lines 9-10 of page 21. There is insufficient antecedent basis for this limitation in the claim.

44. Claim 8 recites the limitation "said device profile" in line 19 of page 21. There is insufficient antecedent basis for this limitation in the claim.

45. Claim 8 recites the limitation "at background" in line 20 of page 21. There is insufficient antecedent basis for this limitation in the claim.

46. Claim 9 recites the limitation "said service profile" in line 2 of page 22. There is insufficient antecedent basis for this limitation in the claim.

47. Claim 9 recites the limitation "at front-end" in line 3 of page 22. There is insufficient antecedent basis for this limitation in the claim.

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48. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

49. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,581,094 to Gao.

50. As to claim 1, Gao teaches a pluggable service delivery platform for supporting many devices having many services, comprising: a device-platform interface, for accessing requests issued by devices and transforming various XML representation information returned by the platform into a representation mode which is adapted for the devices, a service-platform interface, for abstracting the common requirements of various services, providing an adapter for each kind of service, and a platform kernel section for managing information, and transferring information among the modules and between the services and devices (col. 4, line 45-col. 5, line 61).

51. As to claim 2, Gao teaches a pluggable service delivery platform according to claim 1 wherein said platform kernel section comprises three layers: a run-time layer, an administration layer, and a development layer; and various layers are associated via platform API; the run-time layer provides on-line information access and the development layer provides support to new services and new devices (col. 4, line 45-col. 5, line 61).

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52. As to claim 3, Gao teaches a pluggable service delivery platform according to claim 1, wherein said platform kernel section comprises at least: a service engine, a profile manager, a billing interface, and a platform run-status manager (col. 4, line 45-col. 5, line 61).

53. As to claim 4, Gao teaches a pluggable service delivery platform according to claim 3, wherein said service engine provides synchronized requests and asynchronous requests (col. 4, line 45-col. 5, line 61).

54. As to claim 5, Gao teaches a pluggable service delivery platform according to claim 3, wherein a profile manager is used for managing user information, services information and device information (col. 4, line 45-col. 5, line 61).

55. As to claim 6, Gao teaches a pluggable service delivery platform according to claim 1, wherein said device-platform interface provides a corresponding gateway for each kind of device, for transforming an information representation in XML into a file format which is adapted for various devices for displaying and transforming among communication protocol based on a script language of various devices stored in a profile (col. 4, line 45-col. 5, line 61).

56. As to claim 7, Gao teaches a pluggable service delivery platform according to claim 1, wherein the service platform interface provides a corresponding adapter for each kind of service (col. 4, line 45-col. 5, line 61).

57. As to claim 8, Gao teaches a pluggable service delivery platform according to claim 1, wherein a new kind of device can be incorporated by adding a gateway in the device platform interface and adding an item in a profile without changing service system at background (col. 4, line 45-col. 5, line 61).

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58. As to claim 9, Gao teaches a pluggable service delivery platform according to claim 1, wherein a new kind of service can be incorporated by adding an adapter in a service platform interface and adding an item in said service profile without modifying the programs (col. 4, line 45-col. 5, line 61).

Conclusion


59. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair
March 29, 2004

DBB


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER